



Entered on Docket
February 02, 2010

A handwritten signature in black ink, appearing to read "R. Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

WILDE & ASSOCIATES

Gregory L. Wilde, Esq.
Nevada Bar No. 004417
208 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
bk@wildelaw.com

Fax: 702 258-8787

and

MARK S. BOSCO, ESQ.
Arizona Bar No. 010167
TIFFANY & BOSCO, P.A.
2525 East Camelback Road, Suite 300
Phoenix, Arizona 85016
Telephone: (602) 255-6000

The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-7 Mortgage Pass-Through Certificates, Series 2005-7
09-75445

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:

Kyong-He Leary

Debtor

BK-09-12382-lbr

Date: 12/30/09
Time: 10:00am

Chapter 13

ORDER VACATING AUTOMATIC STAY

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
3 Secured Creditor The Bank of New York Mellon, fka The Bank of New York as Successor in interest
4 to JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear
5 Stearns ALT-A Trust 2005-7 Mortgage Pass-Through Certificates, Series 2005-7, its assignees and/or
6 successors in interest, of the subject property, generally described as 22015 N. Arrellaga Drive, Sun
7 City, AZ 85374, and legally described as follows:
8

9 Lot 91, of Unit H - Sierra Madre at Corte Bella Country Club, according
10 to the plat of record in the Office of the County Recorder of Maricopa
11 County, Arizona, recorded in book 672 of Maps, Page 33.
12 //
13 //
14 //
15 //
16 //
17 //
18 //
19 //
20 //
21 //
22 //
23 //
24 //
25 //
26 //

1 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
2 Debtor at least seven business days' notice of the time, place and date of sale.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
4 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
5 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
6 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

7 DATED this _____ day of _____, 2010.

8 Submitted by:

9 **WILDE & ASSOCIATES**

10 By: /s/Gregory L. Wilde, Esq.
11 **Gregory L. Wilde, Esq.**
12 Attorney for Secured Creditor
13 208 South Jones Boulevard
Las Vegas, Nevada 89107

14 APPROVED / DISAPPROVED

15 By: _____
16 Michael J. Dawson
17 515 South 3rd Street
Las Vegas, NV 89101
18 Attorney for Debtor(s)

19 APPROVED / DISAPPROVED

20 By: _____
21 Lenard E Schwartzer
22 2850 S. Jones Blvd. #1
Las Vegas, NV 89146
Chapter 13 Trustee

23

24

25

26

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 _____ The court waived the requirements of LR 9021.

3 _____ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 _____ No parties appeared or filed written objections, and the trustee is the movant.

5 This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
copy of this proposed order to all counsel who appeared at the hearing, and any trustee
appointed in this case, any unrepresented parties who appeared at the hearing, and each has
approved or disapproved the order, or failed to respond, as indicated below:

6 Debtor's counsel:

7 _____ approved the form of this order _____ disapproved the form of this order

8 _____ waived the right to review the order and/or failed to respond to the document

9 _____ appeared at the hearing, waived the right to review the order

10 _____ matter unopposed, did not appear at the hearing, waived the right to review the order

11 Trustee:

10 _____ approved the form of this order _____ disapproved the form of this order

11 _____ waived the right to review the order and/or failed to respond to the document

12 _____ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
13 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
14 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
respond, as indicated below.

15 Debtor's counsel:

16 _____ approved the form of this order _____ disapproved the form of this order

17 _____ waived the right to review the order and/or failed to respond to the document

18 _____ appeared at the hearing, waived the right to review the order

19 _____ matter unopposed, did not appear at the hearing, waived the right to review the order

20 Trustee:

21 _____ approved the form of this order _____ disapproved the form of this order

22 _____ waived the right to review the order and/or failed to respond to the document

23 _____ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

26 Gregory L. Wilde, Esq.

Attorney for Secured Creditor